

**MINUTES OF THE JONESTOWN BOARD OF ADJUSTMENTS & APPEALS MEETING
HELD JUNE 28, 2021, 5:30 P.M., AT THE CITY COUNCIL CHAMBER, 18649 FM 1431,
SUITE 3A, JONESTOWN, TEXAS.**

Sara Jane Cantwell (Place 1) Robert L. Rogers, Vice Chair (Place 2)	Jim Etherton, (Place 3) Henry Mayes (Place 4) Paul Dertien (Place 5)	Kara Trissel (Alternate 1) Jona TenEyck (Alternate 2)
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A. ITEMS OPENING MEETING:

1. CALL TO ORDER

CHAIRMAN

Chair Rogers called the meeting to order at 5:30 p.m.

2. ROLL CALL

SECRETARY

Present: Chair Rogers, Vice Chair Mayes, Members Etherton, Cantwell, Dertien, TenEyck

Absent: Alternate Trissell

Staff Present: City Administrator Jones, Development Services Director Jolly

3. APPROVAL OF MINUTES

May 17, 2021 meeting

A motion was made by Vice Chair Mayes and seconded by Board Member Cantwell to approve the minutes of the May 17, 2021 meeting. The motion passed unanimously.

B. GENERAL BUSINESS:

- 1. a. PUBLIC HEARING on a request by Matthew and Pamela Berzins for a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning Code, Sec. 14.02.061 (b) (1), to allow location of a structure in the building setback for property located at 17717 Hunter Hollow (Lot 5 Hunters Creek Subdivision), Jonestown, Texas.**

Matthew and Pamela Berzins attended the public hearing to discuss the property setbacks and their need for a variance. They also stated their HOA would allow 10-ft. side setbacks. With no other citizens wishing to speak, Chair Rogers closed the public hearing.

b. Consideration and possible action on the above request for a variance from the Jonestown Code of Ordinances, Chapter 14, Zoning Code, Section 14.02.061(b)(1), to allow location of a structure in the building setback for property located at 17717 Hunter Hollow (Lot 5 Hunters Creek Subdivision), Jonestown, Texas.

Board members discussed this request for variance and directed questions to the applicant and to City staff. Following discussion, Board member Cantwell motioned to approve the variance request to allow a 10-ft. side setback for property located at 17717 Hunter Hollow. The motion was seconded by Board member Dertien and passed unanimously.

C. WORK SESSION:

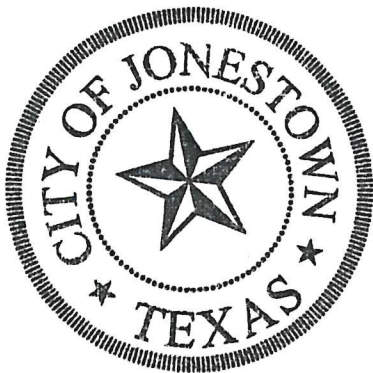
1. **Work session with City Attorney on roles, responsibilities and procedures of the Board of Adjustments and Appeals.**

This work session was led by City Attorney Cynthia Kirchoff. Her presentation included the roles and responsibilities of Board of Adjustments and Appeals, legislative updates, and discussion pertaining to open meetings and the appeals process. She stressed that "hardship" is the heart of a variance request. Following Ms. Kirchoff's presentation, she answered questions from Board members.

D. ADJOURNMENT

A motion was made by Board Member Etherton and seconded by Vice Chair Mayes to adjourn. Motion passed unanimously. Chair Rogers adjourned the meeting at 6:45 p.m.

PASSED AND APPROVED AT A MEETING HELD ON JULY 26, 2021.




Robert Rogers, Chair

ATTEST:


Rachel Austin, City Secretary

**FINDINGS OF THE BOARD OF ADJUSTMENTS
CITY OF JONESTOWN**

Date of Meeting: June 28, 2021

Agenda Item Number: 4. Matthew and Pamela Berzins, for the property located at 17717 Hunters Hollow (Lot 5 Hunters Creek Subdivision), Jonestown, Texas.

Type: X Variance Appeal Reconsideration

Description: A variance from the Jonestown Code of Ordinances, Chapter 14 Zoning Code, Article 14.02, Sec. 14.02.061(b)(1), to allow location of a in the building setback.

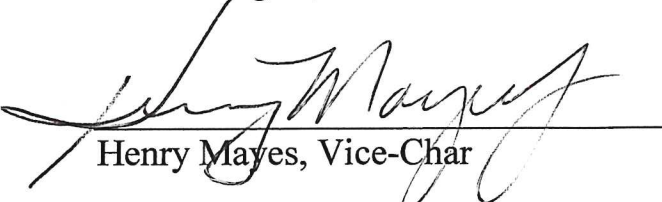
Findings: The Board found sufficient evidence was presented to support a cause of hardship on the applicant if a variance was not granted.

Support for Finding: Board members reviewed evidence provided by the applicant and found that requiring the existing platted setback would cause undue hardship.

Motion and Second: Motion was made by Cantwell to approve the request for a variance to allow a 10-foot side setback. Motion was seconded by Dertien.

Vote: Rogers – Yes
Mayes – Yes
Dertien – Yes
Etherton – Yes
Cantwell – Yes


Robert Rogers, Chair


Henry Mayes, Vice-Chair